

581 Caucasus clearly shows that the peoples of North Caucasasia believed that a
764 marriage tie could continue in the next world. However, since we do not have the slightest evidence that suttee was *obligatory*, the most we can say is that *perhaps*, at one time, death could not dissolve marriage.

2. Levirate

581 Once an Ossetine woman was married, she was considered bound to her
587 husband forever unless divorced, as is evident from the following remarkable facts. (1) The widow was not allowed to marry outside her husband's family; the father or brother or son of the deceased man was obliged to take her to wife, but this second marriage was considered merely a *continuation* of the first. (2) The children of the second marriage were regarded as the sons and daughters of the deceased. (3) The children received the name of the deceased. (4) If the widow had no brother-in-law, father-in-law or step-son, she had to remain unmarried, or live in concubinage, the children born becoming the sons and daughters of the deceased, even the legal heirs of the deceased. The marriage and concubinage had only one purpose: to "raise seed" and "build up the house" of the deceased till the wife would once again join him in the other world. These facts seem to be sufficient proof for the indissolubility of marriage even by death! Unfortunately, we do not have such details about the ancient levirate of the other peoples living in the Caucasus. However, when treating of preferential mating we did find obligatory levirate among the Ingushi and came to the conclusion that most probably the levirate was formerly obligatory also among the other mountain tribes.⁸ In a word, it is quite *possible* that at one time death did not dissolve a marital bond.

§ 2. BY DIVORCE

586 The *adats* of all mountain peoples of Caucasus permit divorce. When speaking of divorce we must make a very clear distinction between the rights of the *husband* and those of the *wife*, between a *valid* divorce and a *justifiable* divorce.

[842] The NORTHWESTERN CAUCASIANS. According to reports of the eighteenth century, a wife might be dismissed in Abkhazia if she were "sterile," that is, if she did not give birth to a child before she was 30, or if she remained childless for five successive years.⁹ However, a *valid* divorce is possible at will. The Temirgoi, for example, may divorce their wives "if they do not please their husbands."¹⁰ Such is the case throughout Abkhazia and among the Cherkess today.¹¹ Although formerly the women in Northwest Caucasus were at a very great disadvantage in regard to divorce, today, they too may abandon their husbands without any special legal grounds. However, in such arbitrary

⁸ Cf. *supra*, p. 73.

⁹ Reinegg, *op. cit.*, Part II, p. 9.

¹⁰ Vasil'kov, "Očerki byta Temirgoevcev," SMOMPK, XXIX (1901), p. 101.

¹¹ Cf. Ladvženskij, FT, p. 199.